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Total Number of Pages in This Submission

Application Number	10/718,770
Filing Date	November 21, 2003
First Named Inventor	Charles L. Branch, et al.
Art Unit	3738
Examiner Name	Christopher D. Prone
Attorney Docket Number	MSDI-220/PC740.00

### ENCLOSURES (Check all that apply)

- |  |  |  |
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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>Interview Summary<br>Return Receipt Postcard |
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Brad A. Schepers		
Date	February 20, 2007	Reg. No.	45,431

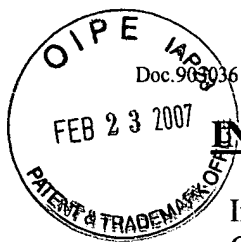
### CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Brad A. Schepers	Date	February 20, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

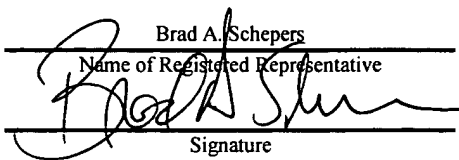
In re patent application of:	)	Before the Examiner:
Charles L. Branch, Jr.	)	Christopher D. Prone
	)	
Application Serial No. 10/718,770	)	Group Art Unit 3738
	)	
Filed November 21, 2003	)	Ref. No. MSDI-220/
	)	PC740.00
	)	
EXPANDABLE SPINAL IMPLANT	)	February 20, 2007

**INTERVIEW SUMMARY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

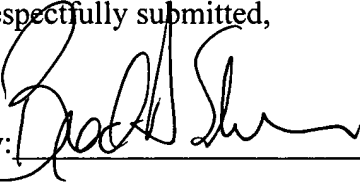
In response to the telephonic interview conducted between Examiner Prone and the undersigned on January 19, 2007, please enter the following Interview Summary. Additionally, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:	
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Date of Signature	_____

## INTERVIEW SUMMARY

Applicant's attorney thanks Examiner Prone for the courtesy of initiating a telephonic interview on January 19, 2007 to further prosecution of the subject application. Independent claims 1, 30, 40 and 49 were discussed during the telephonic interview. Examiner Prone indicated that the claims would be allowable if the relationship between the first and second transverse dimensions were more clearly defined in the independent claims. No specific patent references were discussed with regard to the independent claims. An agreement regarding amendments to the independent claims was reached, followed by issuance of a Notice of Allowance and an Examiner's Amendment on January 26, 2007.

Respectfully submitted,

By:  \_\_\_\_\_

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